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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF CALIFORNIA**

In re:
NICOLAS MARSCH III,
Debtor.

Case No.: 3:10-bk-02939-PB7
Chapter 7

**RESPONSE OF VAN DYKE &
ASSOCIATES, APLC TO
LENNAR'S MOTION FOR AN
ORDER DIRECTING
COMPLIANCE WITH
BANKRUPTCY CODE § 329 AND
BANKRUPTCY RULE 2016**

Hearing Date: December 5, 2011
Time: 11:00 a.m.
Dept. 4
Judge: Hon. Peter W. Bowie

Van Dyke & Associates, APLC (“VDA”), former counsel for Debtor Nicolas Marsch III, hereby responds to Lennar Corporation’s and Lennar Homes of California, Inc.’s Motion for an Order Directing Van Dyke & Associates, APLC, Joseph J. Rego, and Keehn & Associates, APC to Comply With Bankruptcy Code § 329 and Bankruptcy Rule 2016. Such motion is moot as to VDA. Moving parties filed their motion on October 17, with no prior request having been made for the information sought by the motion. VDA provided the requested information on the court-approved form it filed on October 21, 2007 [CM/ECF Doc. No. 486]. Because

1 VDA has disclosed the information sought, and because an order directing the
2 disclosure of such information is the sole relief sought, such motion is moot as to
3 VDA.¹

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6 DATED: November 3, 2011 Respectfully submitted,

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10 VAN DYKE & ASSOCIATES, APLC
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By: /s/ Richard S. Van Dyke
Richard S. Van Dyke, Esq.

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¹ The motion suggests that Lennar may seek some additional remedies at a later date. Although VDA believes that no other remedies against it are appropriate in the circumstances of this case, it will formally address this at such time as Lennar formally brings a motion for other remedies.